

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
WESTERN DIVISION

DEBRA BROUSSARD and ROBERT
BROUSSARD,

Plaintiffs,

vs.

C.R. BARD, INC., a New Jersey
corporation; DOES ONE through FIFTEEN,
et al.,

Defendants.

Case No. CV09-9153-DMG (Ex)

ORDER TRANSFERRING
ACTION TO NORTHERN
DISTRICT OF GEORGIA,
ATLANTA DIVISION

In this action, plaintiffs complain of personal injuries caused by a medical device implanted in plaintiff Debra Broussard. Defendant C.R. Bard, Inc. (“Bard”) sold the medical device. Because the complaint and notice of removal indicate that plaintiffs are citizens of Louisiana, the remaining defendant, Bard, is a citizen of New Jersey, and all of the underlying facts and transactions occurred in Louisiana, this Court, on February 26, 2010, ordered counsel to show cause why this action should not be transferred to a district court in Louisiana (“OSC”).

In response to the OSC, defendant Bard asserts that it is a New Jersey corporation that “maintains a division located in Covington, Georgia, that generally designs, manufactures, and sells medical devices, including the [device implanted in plaintiff Debra Broussard and] conducts business within the state of Louisiana.”

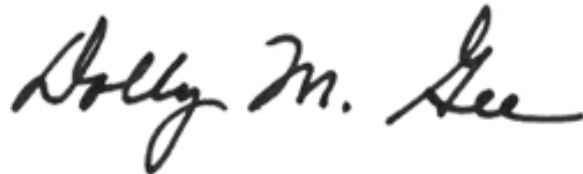
1 (Deft's Memo, at 2.) [Doc. # 13.] Defendant Bard argues that venue is proper in the
2 Western District of Louisiana.

3 Plaintiffs argue that venue is also proper in the Northern District of Georgia,
4 Atlanta Division, where defendant Bard manufactures the medical device in question.

5 It is undisputed that California is not the proper venue for this action.
6 Recognizing plaintiffs' prerogative to select the venue in which they wish to maintain
7 their action, this Court hereby transfers this action to the Northern District of Georgia,
8 Atlanta Division. *See* 28 U.S.C. § 1404(a).

9 IT IS SO ORDERED.

10
11 Dated: April 5, 2010

A handwritten signature in black ink, reading "Dolly M. Gee". The signature is fluid and cursive, with the first name "Dolly" and last name "Gee" clearly legible. The middle initial "M." is written in a smaller, more formal script.

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14 DOLLY M. GEE
United States District Judge
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